IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 8614 of 2004

Shri Sunil Shamrao Mane ..Petitioner

vs.

State of Maharashtra & ors. ..Respondents

Shri A.B.Borkar for petitioner
Shri V.P.Malvankarm, A.G.P. for respondents.

CORAM: A.P.SHAH AND
S.C.DHARMADHIKARI JJ
3rd November, 2004.

P.C.

1. Heard Advocates.

2. The learned Advocate for the petitioner cotnends that if the development agreement and power of attorney are read together it is clear that even a right to get back the property from the Corporation is assigned to the petitioner. He also contends that the Minister could not have passed the order in favour of the owners in the proceedings under sec.34 of U.L.C.Act. Strictly speaking, this ia dispute between the two private individuals. There is no justification for invoking the writ jurisdiction under Article 226 of the Constitution. The remedy of the petitioner is to file a civil suit to establish his right. The petition is, therefore, dismissed with liberty to the petitioner to adopt appropriate proceedings

according to law.